

**Guidance and
Application Instructions**

Elementary and Secondary Education Act

**Title V, Part A
Innovative Programs**

CFDA #84.298

**Center for School Improvement and Performance
Indiana Department of Education**

June 2008

INTRODUCTION AND PURPOSE

The No Child Left Behind Act (NCLB Act) reauthorized former Title VI of the Elementary and Secondary Education Act of 1965 (ESEA) as Title V, Part A Innovative Programs. Title V provides formula grants to State and local educational agencies and is designed to increase the academic achievement of, and to improve the quality of education for, all students. Under Title V, LEAs may use funds in a variety of ways. The driving focus, however, is to increase student academic achievement.

The statutory purposes of the program are:

- (1) To support local education reform efforts that are consistent with and support statewide education reform efforts;
- (2) To implement promising educational reform programs and school improvement programs based on scientifically based research;
- (3) To provide a continuing source of innovation and educational improvement, including support for programs to provide library services and instructional and media materials;
- (4) To meet the educational needs of all students, including at-risk youth; and
- (5) To develop and implement education programs to improve school, student, and teacher performance, including professional development activities and class size reduction programs.

These purposes should serve as the starting point for LEAs in designing and implementing programs under Title V.

The primary role of LEAs under Title V is to carry out programs under one or more of the 27 authorized innovative assistance program areas listed in the statute. Title V provides LEAs with flexibility in carrying out this role. LEAs have complete discretion in determining how to divide funds among one or more of the 27 innovative assistance program areas in a manner that meets both the purposes of Title V and the needs of the students within the school corporation. Moreover, LEAs and school personnel have the primary responsibility for the design and implementation of programs.

In the reauthorization of the former Title VI program as Title V, Congress expanded the number of innovative program areas in which LEAs may use funds. Formerly, there were nine innovative program areas. There are now 27. LEAs have the flexibility to design and implement innovative projects and activities within one or more of the 27 areas to serve educational needs that they have identified. The projects and activities that LEAs implement must meet three statutory requirements. They must be **(1) tied to promoting challenging academic achievement standards, (2) used to improve student academic achievement, and (3) part of an overall education reform strategy.**

An LEA must provide Title V services to children enrolled in a private, nonprofit school within the LEA if, after consultation with private school officials, the officials of the private school indicate that they wish the children in that school to participate. The LEA must contact the private schools within their boundaries annually to determine which schools wish their children to participate. The LEA must consult with the officials of interested private schools in a timely and meaningful manner to determine the needs of the children, the types of Title V services that will be provided, and how those services will be provided. The LEA provides those services on an equitable basis to those children whether or not the services are the same Title V services the LEA provides to the public school children. The expenditures for such services, however, shall be equal (consistent with the number of children served) to Title V services provided to public school children. LEAs pay the cost of administering Title V services for public and private school students “off the top” of their allocations, before calculating how much of the Title V funds are to be made available for services for public and private school students.

The services, materials, and equipment that an LEA provides for the benefit of participating private school students must be secular, neutral, and nonideological. The control of Title V funds and the title to any equipment and materials purchased with those funds must remain in a public agency (usually the LEA). No Title V funds may be paid to any private school, and the title to equipment and materials may not be transferred to any private school. Title V services must be provided by a public agency either directly or through a contractor. Any contractor must be a person or an association, agency, or corporation who or that, in the provision of the Title V services, is independent of the private school and any religious organization. Finally, Title V services for private school students must supplement, and in no case supplant, the level of services that would be available to participating students and educational personnel in the private schools in the absence of the Title V funds.

There are several innovative assistance programs that, by their nature, cannot be carried out in a private school. These include (1) the planning, design, and initial implementation of charter schools; (2) activities to promote, implement, or expand public school choice; and (3) programs to implement the unsafe school choice policy in section 9532.

The LEA is required to evaluate its Title V programs annually. This is a new requirement that will result in greater accountability under the program. The evaluation must describe how Title V programs within the LEA affected student academic achievement. At a minimum, the evaluation must include information and data on the use of funds, the types of services furnished, and the students served by the programs. However, the evaluation should contain sufficient information for the LEA to make a connection between the services that were provided and the effect on academic achievement. To aid this process, the Department encourages LEAs to use the needs identification that they are now required to conduct to provide them with a baseline measure of the level of academic achievement or quality of education in the areas in which they want to target Title V funds. When the LEAs conduct their annual evaluations, they can use the baseline as a reference to see whether there has been any progress as a result of the Title V programs. LEAs must use the

information gleaned from the evaluation to make decisions about appropriate changes in programs for the subsequent year. Finally, LEAs must submit their evaluations to the SEA at the time and in the manner requested by the SEA.

Section 5144 provides that Title V funds shall be used to supplement, and not supplant, any other Federal, State, or local education funds. An LEA should determine what educational activities it would support if no Title V funds were available. If the result of this determination is that no State or local funds remain available to fund certain activities that are supplemental in nature, then the LEA may be able to use Title V funds for those activities. In no event, however, may an LEA decrease State or local funds for particular activities because Title V funds are available.

To view the complete Title V guidance issued by the U.S. Department of Education, it is available online at <http://www.ed.gov/programs/innovative/legislation.html>

Instructions - Indiana's Local Application

Page 1 Cover Sheet

An application submitted by a local educational agency may seek allocations under Title V for a period not to exceed three fiscal years. The LEA may amend the application annually, as may be necessary to reflect changes, without the filing of a complete application. Only Page 1 (Title V contact information and superintendent's signature), Page 4 Nonpublic School Participation, Page 5 Transferability (only if taking advantage of this option), and Pages 6A - 6D (budget information) would be required. Because of the time saving factor, LEAs who plan to continue supporting the same activities with Title V funds in subsequent years are encouraged to indicate on this page that this will be a three year application.

Complete identifying information including name and contact information for the individual who has primary responsibility for the administration of Title V, phone and fax number, email address and the number of years for which this application will apply.

The Superintendent's signature on this page indicates that this submission is the official Title V application.

Page 2 Transferability

Title V received no appropriation for the fiscal year that begins on July 1, 2008. However, an LEA may transfer FY08 funds to Title V, Part A from two other programs - Title II, Part A and Title IV, Part A - a sum that is no more than 50% of each program's formula allocation. Indicate in the "Transferring to Title V, Part A" box the amount from each program that your corporation elects to

transfer to Title V, Part A. Any fund transfers to Title V, Part A must also be reflected on the application from which the funds are being transferred. **ALL FUNDS TRANSFERRED TO TITLE V MUST BE ENCUMBERED BY 9/30/09** and encumbrances liquidated by 12/30/09.

PLEASE NOTE: LEAs identified for improvement may transfer no more than 30 percent of the funds allocated to it for a given fiscal year under each of the programs listed above, and all of the transferred funds must be used for LEA improvement activities consistent with section 1116(c) of the ESEA. **LEAs in corrective action may not transfer any funds.**

In addition, an LEA may not transfer funds to a particular program SOLELY to provide services for private school students and/or teachers.

Pages 3 Descriptions

This page requests information regarding the decision making process for Title V funds. Information entered on this page will include such items as locally identified needs; Title V's contribution towards improving student achievement; and strategies used to ensure a program of systematic consultation.

Page 4 Nonpublic School Participation

You are required to consult with the private, nonprofit schools within your school corporation boundaries to determine whether or not they are interested in participating in the Title V Innovative Programs grant. On page 4 of the application, please list ALL nonpublic schools you've contacted, and then indicate whether or not each will participate in the grant. For those wishing to participate, use their enrollment data to calculate their equitable share of Title V funds. Remember, however, that the funds should not be sent directly to the private school; instead, the funds should be spent on behalf of the private school teachers/children.

Pages 5A - 5D Participation and Planned Allocation of Funds

The Participation and Planned Allocation form is the summary of expenditures of the activities that are being supported with Title V, Part A funds in your district, both at the public and private level. This form will also capture information regarding the number of students or staff being served in each category of expenditure.

Corporations electing to allocate Title V funds to provide same-gender classrooms must attach a description of how the LEA will comply with the guidelines issued by the Secretary of Education.

These guidelines may be accessed at <http://www.ed.gov/legislation/FedRegister/other/2002-2/050802c.html>

An LEA may use Title V-A funds to pay only reasonable and necessary direct administrative costs associated with the operation of its Title V-A program. These costs may include the costs of “systematic consultation” with parents, teachers, and administrative personnel and the costs associated with the provision of services for private school children. Funds reserved for administration of Title V, Part A should not exceed 5% of the amount transferred to Title V.

Page 6 Program Narrative

The Program Narrative will provide specific descriptive information regarding expenditures of Title V funds. **Photocopy this page as necessary; for each line on the Participation and Planned Allocation Form that has an amount budgeted on it, a corresponding program narrative should be provided.**

Page 7 Class Size Reduction Activities

Complete this page only if Title V funds will be used to pay the salaries of teachers in order to reduce class size. Information needed includes number of teachers hired, grade level for which they’ve been hired and the percentage of salary paid with Title V funds (FTEs).

Record Keeping

Records of Title V expenditures shall be available for on-site review by the staff of the Center for School Improvement and Performance. Fiscal audits will be conducted routinely by the State Board of Accounts. The retention period of such records is 3 years from the date of the activity. Items purchased with Title V funds shall be marked “Title V ESEA.”

Submission and Review Process

Applications for 2008 Title V funds must be submitted to the Center for School Improvement by **November 15, 2008.**

Incur obligations and expenditures only after approval by the Indiana Department of Education.

Established restricted indirect costs may be taken at the time application is made or may be taken when closing the projects. Administrative costs, not to exceed 5% of the amount transferred to Title V, and indirect costs will, if used, reduce the amount available for program expenditures.

Applications will be processed upon receipt at the Department of Education and notification of approval will be sent to the superintendent. Questions regarding the application will be directed to the Title V Contact Person listed on the Page 1 of the application.

Important dates to remember for the School Year 2008 - 2009 Title V funds:

November 15, 2008: **Deadline to submit Title V application.**

September 30, 2009: **All funds transferred to Title V must be obligated.**

December 30, 2009: **All encumbrances must be liquidated. Any unused cash from School Year 2008 - 2009 must be returned, along with a final expenditure report, by this date.**